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DK W BK 614 PG 391  
DESOTO COUNTY, MS  
W.E. DAVIS, CH CLERK

Leon Washington Easement

Prepared by:  
Butler, Snow, O'Mara, Stevens & Cannada, PLLC  
Attn: Nicholas H. Manley MSB 101641  
6075 Poplar Avenue, Suite 500  
Memphis, TN 38119  
(901) 680-7200

To the Chancery Clerk of DeSoto County, Mississippi:  
The real property described herein is situated in the South half of Section 2, Township 2 South, Range 9 West  
all in Desoto County, Mississippi

PERMANENT UTILITY EASEMENT AND  
TEMPORARY CONSTRUCTION EASEMENT

LEON WASHINGTON GRANTOR  
TO  
DESOTO COUNTY REGIONAL UTILITY AUTHORITY GRANTEE

In consideration of Ten Dollars (\$10.00) and other good and valuable consideration, **LEON WASHINGTON** (the "Grantor"), grants to **DESOTO COUNTY REGIONAL UTILITY AUTHORITY** ("Grantee"), a body politic, a perpetual and assignable easement and right-of-way in, on, over and across the land, for the location, operation, maintenance, alteration, repair, construction and patrol of an underground sewer pipeline; together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions, and other vegetation, structures, or obstacles within the limits of the right-of-way; reserving, however, to the land-owners, their heirs and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to receiving written approval from Grantee for any fence or similar structure which may be constructed over said easement by Grantee and existing easements for public roads and highways, public utilities, railroads and pipelines over the land in DeSoto County, Mississippi described as part of the South Half of Section 2, Township 2 South, Range 9 West, all in DeSoto County, Mississippi and being a fifty (50) foot wide permanent utility easement particularly described in Exhibit "A" attached hereto.

The Grantor further grants to Grantee one fifty (50) foot wide temporary construction easement and right-of-way and one twenty-five (25) foot wide temporary construction easement and right-of-way which shall vary in width as more specifically described on the attached Exhibit "A." The Grantor further grants to Grantee the access for Grantee to utilize this easement.

Upon completion of the construction within the above described permanent utility easements, the above-described temporary construction easements shall terminate.

In the event any other utility or third party wishes to work or construct within this easement, said other utility or third party will be required to first give notice to the Grantee by reasonable means.

The Grantor acknowledges the existence of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, Public Law 91-646, and acknowledges that she is aware of her rights under said Act, including but not limited to:

Reg. Utility

- a) notification of the Grantee's desire to obtain the property and receipt of a copy of the above named Act;
- b) the opportunity to receive an appraisal and to accompany the appraiser during the initial inspection; and
- c) an opportunity to have the value of the property determined by a Court of competent jurisdiction and to be compensated therefore.

Grantor acknowledges that he has received just compensation for the easement property. Grantor hereby conveys the parcel of property herein described to DeSoto County Regional Utility Authority.

WITNESS MY SIGNATURE on the date set forth below.

The Address and Telephone  
Number of the Grantor:

5411 Poplar Corner Road  
Walls, MS 38680  
901-337-1424

The Address and Telephone  
Number of the Grantee:

365 Loshier Street  
Suite 300  
Hernando, MS 38632  
(662) 429-5590

Mildred Washington  
 LEON WASHINGTON BY MILDRED  
 WASHINGTON AS SET FORTH IN  
 POWER OF ATTORNEY  
 ATTACHED HERETO

STATE OF MISSISSIPPI  
 COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said county and state, on this the 6th day of August, 2009, within my jurisdiction, the within named Mildred Washington, who provided to me a copy of the Limited Power of Attorney for Mr. Leon Washington, which is attached hereto and authorizes her to sign the attached document, who executed the above and foregoing Agreement.

Judy Marshall  
 NOTARY PUBLIC

My Commission Expires:

April 1, 2012  
 [AFFIX NOTARIAL SEAL]



MARCH 20, 2009

LEGAL DESCRIPTION

PARCEL NUMBER LF-08 - UTILITY EASEMENT

TAX PARCEL NUMBER: 2091-0200.0-00024.00

PERMANENT UTILITY EASEMENT AND TWO TEMPORARY CONSTRUCTION EASEMENTS

BEING A LEGAL DESCRIPTION OF A PROPOSED FIFTY (50) FOOT WIDE PERMANENT UTILITY EASEMENT ACROSS PART OF THE LEON WASHINGTON AND WIFE, JULIA WASHINGTON PROPERTY OF RECORD IN WARRANTY DEED AT BOOK 145 - PAGE 500 AT THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI, SAID PROPOSED EASEMENT TO BE DESCRIBED BY CENTERLINE AND TO BE KNOWN FOR THE PURPOSES OF THIS DESCRIPTION AS "PARCEL NUMBER LF-08", SAID PARCEL NUMBER LF-08 BEING DESCRIBED AS:

A TRACT OF LAND SITUATED IN THE SOUTHWEST QUARTER AND ALSO IN THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 2 SOUTH, RANGE 9 WEST, ALL IN WALLS, DESOTO COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS:

A PERMANENT UTILITY EASEMENT, TWENTY-FIVE FEET EITHER SIDE OF AND PARALLEL TO THE FOLLOWING DESCRIBED PROPOSED CENTERLINE: COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 2 (CALCULATED, NOT RECOVERED), SAID WEST QUARTER CORNER BEING 42.23 FEET NORTH OF A FOUND T POST AT THE INTERSECTION OF "TWO OLD FENCES AND HEDGEROWS" (AS MEASURED AND CALLED FOR IN BOOK 145 - PAGE 497), SAID POINT OF COMMENCEMENT LYING AT MISSISSIPPI STATE PLANE GRID COORDINATES OF NORTHING OF 1,979,362.89 FEET AND EASTING OF 2,357,102.83 FEET (SEE COORDINATE NOTE BELOW); THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST - 1324.98 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST - 1602.24 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION, SAID POINT OF BEGINNING LYING IN THE NORTHERLY DEED LINE OF THE VERNICE W. DORSEY PROPERTY OF RECORD IN WARRANTY DEED AT BOOK 0392 - PAGE 0266 SAID POINT OF BEGINNING LYING AT MISSISSIPPI STATE PLANE GRID COORDINATES OF NORTHING OF 1,978,038.44 FEET AND EASTING OF 2,358,705.17 FEET (SEE COORDINATE NOTE BELOW); THENCE ALONG THE CENTERLINE OF SAID PARCEL NUMBER LF-08 THE FOLLOWING BEARINGS AND DISTANCES: THENCE NORTH 59 DEGREES 54 MINUTES 29 SECONDS EAST - 101.58 FEET TO AN ANGLE POINT; THENCE NORTH 89 DEGREES 58 MINUTES 33 SECONDS EAST - 483.90 FEET TO AN ANGLE POINT; THENCE NORTH 56 DEGREES 21 MINUTES 45 SECONDS EAST - 500.00 FEET TO AN ANGLE POINT; THENCE NORTH 68 DEGREES 52 MINUTES 31 SECONDS EAST - 500.00 FEET TO AN ANGLE POINT; THENCE NORTH 52 DEGREES 51 MINUTES 14 SECONDS EAST - 500.00 FEET TO AN ANGLE POINT; THENCE NORTH 47 DEGREES 49 MINUTES 18 SECONDS EAST - 329.24 FEET TO THE POINT OF TERMINATION, SAID POINT OF TERMINATION LYING IN THE NORTHERNMOST SOUTHERLY DEED LINE OF THE MILDRED WASHINGTON, ET AL (UNDIVIDED ESTATE) PROPERTY OF RECORD AT WILL BOOK 23 - PAGE 600, SAID POINT OF TERMINATION LYING AT MISSISSIPPI STATE PLANE GRID COORDINATES OF NORTHING OF 1,979,069.73 FEET AND EASTING OF 2,360,802.17 FEET (SEE COORDINATE NOTE BELOW), PARCEL LF-08 AS DESCRIBED ABOVE CONTAINING A GROSS AREA OF 2.759 ACRES OR 120,177 SQUARE FEET, *LESS AND EXCEPT* THE FOLLOWING PARCEL OF LAND, SAID LESS AND EXCEPT PARCEL BEING PART OF THE SAID MILDRED WASHINGTON, ET AL, (UNDIVIDED ESTATE) PROPERTY OF RECORD AT WILL BOOK 23 - PAGE 600, SAID LESS AND EXCEPT PARCEL BEING DESCRIBED AS: BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF SAID PROPOSED FIFTY (50) FOOT WIDE PERMANENT UTILITY EASEMENT AND THE SOUTHERNMOST SOUTHERLY DEED LINE OF SAID MILDRED WASHINGTON, ET AL PROPERTY, SAID POINT LYING AT MISSISSIPPI STATE PLANE GRID COORDINATES OF NORTHING OF 1,978,690.50 FEET AND EASTING OF 2,360,349.41 FEET (SEE COORDINATE NOTE BELOW); THENCE NORTH 52 DEGREES 51 MINUTES 14 SECONDS EAST - 261.92 FEET TO AN ANGLE POINT; THENCE NORTH 47 DEGREES 49 MINUTES 18 SECONDS EAST - 9.78 FEET TO THE POINT OF TERMINATION LYING IN THE WESTERNMOST EASTERLY DEED LINE

PAGE TWO

OF SAID MILDRED WASHINGTON, ET AL (UNDIVIDED ESTATE) PROPERTY, SAID POINT OF TERMINATION LYING AT MISSISSIPPI STATE PLANE GRID COORDINATES OF NORTHING OF 1,978,855.23 FEET AND EASTING OF 2,360,565.44 FEET (SEE COORDINATE NOTE BELOW), SAID LESS AND EXCEPT PARCEL CONTAINING 0.312 ACRES OR 13,590 SQUARE FEET.

PARCEL LF-08 AS DESCRIBED ABOVE CONTAINING A NET AREA OF 2.447 ACRES OR 106,587 SQUARE FEET, SUBJECT TO RIGHT OF WAY IN ANY PUBLIC ROADS AND PUBLIC AND/OR PRIVATE EASEMENTS.

ALSO, A FIFTY (50) FOOT WIDE EASEMENT, TO BE KNOWN FOR THE PURPOSES OF THIS DESCRIPTION AS TEMPORARY CONSTRUCTION EASEMENT "A", TO BE SITUATED ADJACENT TO AND PARALLEL TO THE NORTHERLY LINE OF SAID PARCEL LF-08, SAID TEMPORARY CONSTRUCTION EASEMENT "A" CONTAINING 2.823 ACRES OR 122,960 SQUARE FEET MORE OR LESS.

ALSO, A TWENTY-FIVE (25) FOOT WIDE EASEMENT, TO BE KNOWN FOR THE PURPOSES OF THIS DESCRIPTION AS TEMPORARY CONSTRUCTION EASEMENT "B", TO BE SITUATED ADJACENT TO AND PARALLEL TO THE NORTHERLY LINE OF SAID PARCEL LF-08, SAID TEMPORARY CONSTRUCTION EASEMENT "B" CONTAINING 1.279 ACRES OR 55,273 SQUARE FEET MORE OR LESS.

BY GRAPHIC DETERMINATION PART OF PARCEL LF-08 LIES WITHIN THE LIMITS OF THE SPECIAL FLOOD HAZARD AREA ZONE AE, INUNDATED BY 100 YEAR FLOOD, PER FIRM/FEMA MAP NUMBER 28033C00042G, REVISED JUNE 4, 2007.

ALL REFERENCES TO GRID BEARINGS AND MISSISSIPPI STATE PLANE GRID COORDINATES AS INDICATED IN THIS LEGAL DESCRIPTION AND ON THE ACCOMPANYING SURVEY EXHIBIT ARE UNADJUSTED, NAD 83 - WEST ZONE, SURVEY FEET, WITH A CONVERGENCE ANGLE OF 00 DEGREES 06 MINUTES 56 SECONDS AND A COMBINED FACTOR OF 0.999942107 AT THE POINT OF COMMENCEMENT OF LEGAL DESCRIPTION. GRID COORDINATE VALUES WERE DETERMINED BY GLOBAL POSITIONING SURVEY (GPS) OBSERVATION AND OPUS SOLUTION.

ALL MATTERS OF PUBLIC RECORD ARE RECORDED AT THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI.

THIS LEGAL DESCRIPTION AND ITS ACCOMPANYING EXHIBIT ARE DERIVED FROM AN ACTUAL ON THE GROUND SURVEY ACROSS THE ABOVE DESCRIBED PARCEL NUMBER LF-08 AND ALL MEET THE MINIMUM ACCURACY REQUIREMENTS FOR A MISSISSIPPI CLASS "A" SURVEY.

LIMITED POWER OF ATTORNEY

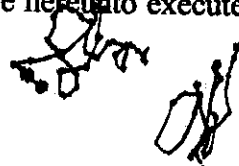
KNOW ALL PERSONS BY THESE PRESENTS, that I, Leon Washington, an adult resident citizen of the Town of Walls, County of Desoto, State of Mississippi, hereby make, constitute, and appoint Mildred Washington, of Desoto County, Mississippi, the true and lawful attorney-in-fact for me and in my name, place, and stead, and for my use and benefit, and she is empowered to act for, and in the name and place of the undersigned as follows:

1. I authorize Mildred Washington to execute the appropriate documents necessary to consummate the conveyance of the easement located at tax parcel number 2091-0200.0-00024.00 in Section 2, Township 2, Range 9 West to the Desoto County Regional Utility Authority ("DCRUA") for an amount not to exceed Twenty Two Thousand Dollars and 00/100 (\$22,000.00).

2. I grant to said attorney-in-fact full power and authority to do, take and perform all and every act and thing whatsoever requisite, proper, or necessary to be done, in the exercise of the limited rights and powers herein granted, as fully to all intents and purposes as I might or could do if personally present, with full power of substitution or revocation, hereby ratifying and confirming all that said attorney-in-fact, or her substitute or substitutes, shall lawfully do or cause to be done by virtue of this power of attorney and the rights and powers herein granted.

3. This instrument is to be construed and interpreted as a limited power of attorney. The enumeration of specific items, rights, acts, or powers herein is intended to limit and restrict, and is to be construed or interpreted as limiting and restricting, the powers herein granted to said attorney-in-fact. This power of attorney shall not be affected by my subsequent disability or incompetence.

IN WITNESS WHEREOF, I have hereunto executed this Limited Power of Attorney on the 6th day of August, 2009.



\_\_\_\_\_  
LEON WASHINGTON

Prepared by:  
Butler, Snow, O'Mara, Stevens & Cannada, PLLC  
6075 Poplar Avenue Suite 500  
Memphis, TN 38119 (901) 680-7200  
Nicolas H. Manley MSB 101641

STATE OF MISSISSIPPI

COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said county and state, on this 6th day of August, 2009 within my jurisdiction, the within named Leon Washington, who acknowledged that he executed the above and foregoing instrument.

Judy Marshall  
NOTARY PUBLIC

My Commission Expires:

April 1, 2012  
[AFFIX NOTARIAL SEAL]

